

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

AIR FORCE INSTRUCTION 51-902

12 NOVEMBER 2010

Law



***POLITICAL ACTIVITIES BY MEMBERS OF
THE US AIR FORCE***

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RELEASABILITY: There are no releasability restrictions on this publication.

OPR: AF/JAA

Certified by: AF/JA (Maj Gen Steven J. Lepper)

Supersedes: AFI 51-902, 1 January 1996

Pages: 15

This Instruction implements Air Force Policy Directive (AFPD) 51-9, Civil Law for Individuals, and Department of Defense (DoD) Directive 1344.10, Political Activities by Members of the Armed Forces, February 19, 2008. It provides specific prohibitions and guidance regarding political activities of Air Force military personnel. This Instruction applies to members of the Regular Air Force and the Reserve components on active duty for training, including the Air National Guard when federalized or when performing full time National Guard duty. Certain sections also apply to Reserve component members while in an inactive status, as indicated within those sections. Members on active duty are prohibited from engaging in political activities as provided in this Instruction. Military personnel who violate the prohibitions, or fail to comply with the mandatory requirements, as applicable, in paragraphs 3.5, 4.1, 5.1.2, 6.3, 6.4.1, and 6.5 of this Instruction may be prosecuted under Article 92, Uniform Code of Military Justice (UCMJ), as well as any other applicable articles of the UCMJ or provisions of federal law. Violations may result in administrative disciplinary action without regard to otherwise applicable criminal or civil sanctions for violations of related laws. No waivers may be granted for any part of this Instruction. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with AFMAN 33-363, Management of Records, and disposed of in accordance with the Air Force Records Disposition Schedule located at <https://afirms.amc.af.mil/>. Refer recommended changes and questions about this publication to AF/JAA using the AF Form 847, Recommendation for Change of Publication; route AF Form 847s from the field through the JA functional chain of command.

SUMMARY OF CHANGES

This document has been substantially revised and must be completely reviewed. Major textual changes were made concerning the criteria to hold and exercise the functions of certain civil offices pursuant to Title 10 United States Code, Section 973 and to implement changes required by revised DoD Directive 1344.10 with regard to campaign literature for political candidates and permissible political activities by military members. The statute permits retired Regular or Reserve members serving on active duty under a call or order to active duty for 270 days or less to hold and exercise the functions of civil office in the U.S. Government; a State; the District of Columbia; a territory, possession, or commonwealth of the U.S.; or any political subdivision thereof, if not otherwise prohibited by State or local law and if holding such office does not interfere with the performance of military duties. DoD Directive 1344.10 no longer permits the Secretary of the Air Force (SECAF) to delegate authority to approve member requests to serve as an election official, to be a nominee or candidate for elected office, or to serve in such office. Attachment 2 is the new template for nominee/candidate acknowledgements required by DoD Directive 1344.10.

1. Overview. It is Air Force policy to encourage active duty members to carry out their rights and responsibilities of U.S. citizenship. While on active duty, however, members are prohibited from engaging in certain political activities as proscribed below in order to maintain good order and discipline and to avoid conflicts of interest and the appearance of improper endorsement in political matters.

2. Responsibilities.

2.1. The Office of The Judge Advocate General (AF/JA) shall:

2.1.1. Advise and assist SECAF, the Secretariat, and the Air Staff on matters related to Air Force military members' participation in political activities.

2.1.2. Receive, review, and forward for SECAF action any requests by members to file evidence of nomination or candidacy for nomination as required by law. See paragraphs 5 and 6.

2.2. Staff Judge Advocates at all levels of command shall:

2.2.1. Advise and assist their respective commands and assigned members on matters related to participation in political activities.

2.3. This Instruction establishes responsibilities for members on active duty for more than 30 days. Paragraph 9 of this Instruction also establishes responsibilities for members on active duty for 30 days or less. All members on active duty must comply with this Instruction. Additionally, certain restrictions, as stated herein, also apply to retired regular members and members of the Reserve Component, even when not on active duty.

3. Permitted Activities. Members may:

3.1. Register to vote, vote, and express a personal opinion on political candidates and issues, but not as a representative of the Air Force or DoD.

3.2. Promote and encourage others to exercise their voting franchise, if such promotion does not constitute use of their official authority or influence to interfere with the outcome of any election.

3.3. Join a partisan or nonpartisan political club and attend its meetings when not in uniform, but not in any official capacity nor listed as a sponsor (see restrictions in paragraph 4). The restriction on wearing the uniform to meetings also applies to retired and Reserve Component members.

3.4. Attend partisan and nonpartisan political fundraising activities, meetings, rallies, debates, conventions, or activities as a spectator when not in uniform and when no inference or appearance of official sponsorship, approval, or endorsement can reasonably be drawn.

3.5. Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with the performance of military duties, is performed when not in uniform, and the Secretary of the Air Force (SECAF) has given prior approval. **Members who violate any of these provisions are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.** SECAF may not delegate the authority to grant or deny such permission. Requests to serve as an election official shall be forwarded through command channels to Headquarters Air Force, Office of The Judge Advocate General, Administrative Law Directorate (AF/JAA).

3.6. Sign a petition for specific legislative action or a petition to place a candidate's name on an official election ballot, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the Air Force or DoD.

3.7. Write a letter to the editor of a newspaper expressing the member's personal views concerning public issues or political candidates, if such action is not part of an organized letter-writing campaign or a solicitation of votes for or against a political party or partisan political cause or candidate. If the letter identifies the member as being on active duty status (or if the member is otherwise reasonably identifiable as a member of the Armed Forces), the letter should clearly state that the views expressed are those of the individual only and not those of the Air Force or DoD. Members must apply this principle to personal views written for publication in all forms of print and electronic media (i.e., magazines, social media, blogging).

3.8. Write a personal letter, not for publication, expressing preference for a specific political candidate or cause, if the action is not part of an organized letter-writing campaign on behalf of a partisan political cause or candidate.

3.9. Make monetary contributions to a political organization, party, or committee favoring a particular candidate or slate of candidates, subject to limitations under Title 2, United States Code, Section 441a and Title 18, United States Code, Section 607.

3.10. Display a political bumper sticker on the member's private vehicle (but see paragraph 4.1.11).

3.11. Wear a political button or t-shirt when not in uniform, performing military duties, or under circumstances that could reasonably give rise to an appearance of official endorsement.

3.12. Participate fully in the Federal Voting Assistance Program.

4. Prohibited Activities.

4.1. Members who engage in any of the prohibited activities listed in this paragraph and subparagraphs are subject to prosecution under Article 92, UCMJ, in addition to any other applicable provision of the UCMJ or Federal law. Members shall not:

4.1.1. Participate in partisan political fundraising activities (except as permitted in paragraph 3.7), rallies, conventions (including making speeches in the course thereof), management of campaigns, or debates, either on one's own behalf or on that of another. This prohibition applies whether the individual is in uniform or not, and regardless of whether an inference or appearance of official sponsorship, approval, or endorsement may be drawn. Participation includes more than mere attendance as a spectator. (See also paragraphs 4.1.9 and 4.1.16.)

4.1.2. Use official authority or influence to interfere with an election, to affect its course or outcome, to solicit votes for a particular candidate or issue, or to require or solicit political contributions from others.

4.1.3. Allow, or cause to be published, partisan political articles, letters, or endorsements signed or written by the member that solicit votes for or against a partisan political party, candidate, or cause. This is distinguished from a letter to the editor as permitted under the conditions described in subparagraph 3.6.

4.1.4. Serve in any official capacity or be listed as a sponsor of a partisan political club.

4.1.5. Speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate or cause.

4.1.6. Participate in any radio, television, or other program or group discussion as an advocate of a partisan political party, candidate, or cause.

4.1.7. Conduct a political opinion survey under the auspices of a partisan political club or group, or distribute partisan political literature.

4.1.8. Perform clerical or other duties for a partisan political committee or candidate during a campaign, on an election day, or after an election day during the process of closing out a campaign.

4.1.9. Solicit or otherwise engage in fund-raising activities in federal offices or facilities, including military reservations, for any partisan political party, candidate, or cause. (See also paragraphs 4.1.1 and 4.1.16.)

4.1.10. March or ride in a partisan political parade.

4.1.11. Display a large political sign, banner, or poster (as distinguished from a bumper sticker) on a private vehicle.

4.1.12. Display a large political sign, poster, banner, or similar device visible to the public at one's residence on a military installation, even if that residence is part of a privatized housing development.

4.1.13. Participate in any organized effort to provide voters with transportation to the polls, if the effort is organized by or associated with a partisan political party, cause, or candidate.

4.1.14. Sell tickets for, or otherwise actively promote, partisan political dinners and similar fundraising events.

4.1.15. Attend any partisan political event as an official representative of the Air Force or DoD, even without actively participating, except as a member of a joint Armed Forces color guard at the opening ceremonies of the national convention of a political party recognized by the Federal Elections Commission, or as otherwise authorized by the SECAF.

4.1.16. Make a campaign contribution to, or receive or solicit (on one's own behalf) a campaign contribution from, any other member of the Armed Forces on active duty, or an officer or employee of the federal government for promoting a political objective or cause. Any contributions not prohibited by this paragraph remain subject to the gift provisions of sections 2635.301-2635.304 of Title 5, Code of Federal Regulations. (See also paragraphs 4.1.1 and 4.1.9.)

4.1.17. Participate, while in uniform, in any activity such as unofficial public speeches, interviews, picket lines, marches, rallies or any public demonstration which may imply Air Force sanction of the cause for which the demonstration or activity is conducted. Authorization to wear the uniform under certain circumstances may be granted in accordance with DoD Instruction 1334.01, *Wearing of the Uniform*, as implemented by AFD 36-29, *Military Standards*, and AFI 36-2903, *Dress and Personal Appearance of Air Force Personnel*.

4.1.18. Engage in the public or organized recruitment of others to become partisan candidates for nomination or election to a civil office.

4.1.19. Commissioned officers shall not use contemptuous words against the President, the Vice President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature of any State, Commonwealth, or possession in which the member is on duty or present as prohibited and punishable under Article 88, UCMJ.

4.2. With the exception of subparagraph 4.1.19, and subject to any other restrictions in law, a member of the Air Force not on active duty may take the actions and participate in the activities prohibited in subparagraph 4.1 above, provided the member is not in uniform and does not otherwise act in a manner that could reasonably give rise to the inference or appearance of official sponsorship, approval, or endorsement.

4.3. Activities not expressly prohibited above may be contrary to the spirit and intent of this Instruction. Any activity that may be reasonably viewed as directly or indirectly associating the Air Force or DoD with a partisan political activity or is otherwise contrary to the spirit and intention of this Instruction shall be avoided.

5. Nomination or Candidacy for Civil Office. For the purposes of this Instruction, "civil office" includes a civil office in the U.S. Government that is an elective office, an office requiring an appointment by the President, or a position on the executive schedule under Title 5, United States Code, Sections 5312-5317; or a civil office in a State; the District of Columbia; a territory, possession, or commonwealth of the U.S.; or any political subdivision thereof.

5.1. Except as authorized by subparagraph 5.3., below, a regular Air Force member, or a retired regular or Reserve Component Air Force member on active duty under a call or order to active duty for more than 270 days, may not be a nominee or candidate for a civil office described in paragraph 5, except when the SECAF personally grants permission.

5.1.1. The SECAF may not delegate the authority to grant or deny permission under paragraph 5 and shall not authorize a service member to perform any activity while on active duty that is otherwise prohibited by other provisions of law, policy, regulation, or instruction.

5.1.2. Permission of the SECAF is required for a service member regardless of whether evidence of nomination or candidacy for civil office is filed prior to commencing active duty service or whether the service member is an incumbent in the relevant office. If a service member covered by the prohibition in paragraph 5.1 becomes a nominee or candidate for civil office prior to commencing active duty, then the service member must request permission in writing and submit the request to the SECAF before entering active duty. **Members who violate this prohibition are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.**

5.1.3. If SECAF denies the request, the service member must take affirmative actions to decline the nomination or withdraw as a candidate.

5.1.4. Requests for SECAF consideration shall be forwarded through command channels to Headquarters Air Force, Office of The Judge Advocate General, Administrative Law Directorate (AF/JAA).

5.2. A retired regular Air Force member or Reserve Component member serving on active duty under a call or order to active duty for 270 days or less may remain or become a nominee or candidate for a civil office described in paragraph 5, provided there is no interference with the performance of military duties.

5.3. Exceptions to the prohibitions of subparagraph 5.1.:

5.3.1. Enlisted members, regardless of duty status, may seek, hold and exercise the functions of a nonpartisan civil office as a notary public or member of a local school board, neighborhood planning commission, and similar local agency. Officer members on active duty may seek, hold, and exercise the functions of a nonpartisan civil office on an independent school board that is located exclusively on a military reservation. Such offices must be held in a non-military capacity and may not interfere with the performance of military duties.

5.3.2. Members may serve as a regular or reserve civilian law enforcement officer or member of a civilian fire or rescue squad when approved by the member's commander. Such service must be in a personal capacity, may not involve the exercise of military authority, and may not interfere with the performance of military duties. In the case of regular officers on the active duty list or full-time National Guard and retired and reserve officers on active duty under a call or order for a period of more than 270 days, however, the position must not be a civil office described in paragraph 5. Refer to AFI 31-201, *Security Police Standards and Procedures*, for further guidance regarding off-duty employment of Security Forces personnel.

6. Additional Limitations on Nominees or Candidates for Elective Civil Office.

6.1. Members not on active duty who are nominees or candidates for the offices described in paragraph 5 may, in their campaign literature (including web sites, videos, television, and conventional print advertisements):

6.1.1. Use or mention or permit the use or mention of their military rank or grade and military service affiliation, but must clearly indicate their retired or reserve status.

6.1.2. Include or permit the inclusion of their current or former specific military duty, title, or position, or photographs in military uniform, when displayed with other non-military biographical details. Any such military information must be accompanied by a prominent and clearly displayed disclaimer that neither the military information nor photographs imply endorsement by the Department of Defense or the Department of the Air Force; e.g., "John Doe is a member of the Air National Guard. Use of his military rank, job titles, and photographs in uniform does not imply endorsement by the Department of the Air Force or the Department of Defense."

6.2. Members described in paragraph 6.1 may NOT, in campaign literature (including web sites, videos, television, and conventional print advertisements):

6.2.1. Use or allow the use of photographs, drawings, and other similar media formats of themselves in uniform as the primary graphic representation in any campaign media, such as a billboard, brochure, flyer, web site, or television commercial. For the purposes of this Instruction, "photographs" include video images, drawings, and all other similar formats of representational media.

6.2.2. Depict or allow their depiction in uniform in a manner that does not accurately reflect their actual performance of duty. For the purpose of this Instruction, "photographs" include video images, drawings, and all other similar formats of representational media.

6.3. Any member on active duty who is permitted to be, or otherwise not prohibited from being, a nominee or candidate for civil office as described in paragraph 5, may NOT participate in any campaign activities. **Members who violate this prohibition are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.** This includes open and active campaigning and all behind-the-scenes activities. For example, a service member on active duty who is a candidate or nominee may not:

6.3.1. Direct, control, manage, or otherwise participate in their campaign, including behind-the-scenes activities.

6.3.2. Make statements to or answer questions from the news media regarding political issues or government policies or activities unless specifically authorized to do so by an appropriate supervisor or commander.

6.3.3. Publish or allow to be published partisan political articles, literature, or documents that they have signed, written, or approved that solicit votes for or against a partisan political party, candidate, issue, or cause.

6.4. Nominees or candidates for office described in paragraph 6.3 must:

6.4.1. Take affirmative, documented efforts to inform those who work for them and those whom they control that the nominees or candidates may not direct, control, manage, or otherwise participate in campaign activities on their own behalf while on active duty. **Members who fail to comply with this requirement are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.**

6.4.2. Take all reasonable efforts to prevent current or anticipated advertisements that the nominees or candidates control from being publicly displayed in any media while on active duty. This includes web sites devoted to the nomination or candidacy. Web sites created before entry on active duty may not be updated or revised and may be ordered shut down at SECAF direction.

6.5. Members who require permission to be nominees or candidates under this Instruction, or who are on active duty and are not otherwise prohibited from being a nominee or a candidate, must complete the acknowledgment of limitations at Attachment 2. Those who require permission must complete the acknowledgment before permission may be granted. Those who do not require permission must complete the acknowledgment within 15 days of becoming a nominee or candidate or within 15 days of entry on active duty if already a nominee or candidate. The acknowledgment must be forwarded through the service member's chain of command to the first general officer in the military chain of command or functional chain. If elected to the office, a copy of the acknowledgement shall be maintained in the service member's personnel record for the duration of the term of office. **Members who fail to complete the acknowledgment and obtain the required permission to be a nominee or candidate are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.**

7. Members Elected or Appointed to Civil Office.

7.1. **Civil Office in the U. S. Government.** Except as authorized by law, members serving on Active Duty in the Regular Air Force and members who are either retired Regular Air Force or a member of a Reserve Component and serving on active duty under a call or order to active duty for more than 270 days may not hold or exercise the functions of civil office in the US Government that is an elective office, requires an appointment by the President, or is a position on the executive schedule under Title 5, United States Code, Sections 5312-5317. A member who occupies a civil office described above who is called to active duty for more than 270 days must resign from the civil office; entering a "leave of absence" or similar "inactive" status is insufficient to comply with this prohibition.

7.1.1. This prohibition does not apply to any retired Regular Air Force member or Reserve Component service member serving on active duty under a call or order to active duty that specifies a period of active duty of 270 days or less, provided there is no interference with the performance of military duties. For example, Senator Smith, a lieutenant colonel in the Air Force Reserve, is permitted to perform active duty service while holding elected office and exercising the functions of her elected civil U.S. Government office so long as she is not called to active duty for more than 270 days and her exercise of those functions do not interfere with the performance of her military duties.

7.1.2. If the call or order specifies a period of active duty of more than 270 days, the prohibition applies beginning on the first day of the active duty period.

7.1.3. A member on active duty in the Air Force may hold or exercise the functions of a civil office in the U.S. Government that is not described in paragraph 7.1 when assigned or detailed to that office (while on active duty) or to perform those functions, provided the assignment or detail does not interfere with military duties.

7.1.4. Any active duty Air Force member authorized to hold or exercise, or not prohibited from holding or exercising, the functions of civil office under paragraph 7.1.1 is still subject to the prohibitions of subparagraph 4.1.

7.2. Civil Office in a State or Other Political Subdivision. Except as authorized by law, Regular Air Force members may not hold or exercise the functions of civil office in the government of a State; the District of Columbia; a territory, possession, or commonwealth of the United States; or in any political subdivision thereof.

7.2.1. This prohibition does not apply to members who are either retired Regular Air Force or a member of a Reserve Component and serving on active duty under a call or order to active duty that specifies a period of active duty of 270 days or less, provided there is no interference with military duties. For example, City Mayor Koziarz, a retired major recalled to active duty, may perform active duty service while holding his elected office and exercising the functions of that office so long as his recall to service is for 270 days or less; he serves as the mayor in a non-military capacity; and there is no interference with his military duties while serving as mayor.

7.2.2. A retired Regular or Reserve Component member on active duty under a call or order to active duty for more than 270 days may hold — but shall NOT exercise — the functions of a civil office as set out in subparagraph 7.2., provided:

7.2.2.1. Holding the office is not prohibited under the laws of that State; the District of Columbia; a territory, possession, or commonwealth of the United States; or any political subdivision thereof, and

7.2.2.2. The SECAF grants permission after determining that holding such office does not interfere with the performance of military duties. The SECAF may not delegate the authority to grant or deny such permission.

7.2.3. For example, if City Mayor Koziarz, a retired major, is recalled to active duty for a period in excess of 270 days, he may continue to hold his elected office, unless he is prohibited from doing so under State law or SECAF determines that continuing to hold the office would interfere with the performance of his military duties. While Major Koziarz remains on active duty, however, he may not exercise any of the functions of his civil office.

7.3. Members affected by the prohibitions against being a nominee or candidate or holding or exercising the functions of a civil office may request retirement (if eligible), discharge, or release from active duty. The SECAF may approve these requests, consistent with the needs of the Air Force. Absent compelling circumstances, requests will normally not be approved if the member is:

7.3.1. Obligated to fulfill an active duty service commitment.

7.3.2. Serving or has been issued orders to serve afloat or in an area that is overseas, remote, a combat zone, or a hostile fire pay area.

7.3.3. Ordered to remain on active duty while the subject of an investigation or inquiry.

7.3.4. Accused of an offense under the UCMJ or serving a sentence or punishment for such offense.

7.3.5. Pending other administrative separation action or proceedings.

7.3.6. Indebted to the United States.

7.3.7. In a Reserve Component and serving involuntarily under a call or order to active duty that specifies a period of active duty of more than 270 days during a period of declared war or national emergency, or other period when a unit or individual of the Air National Guard or other Reserve Component has been involuntarily called or ordered to active duty as authorized by law.

7.3.8. In violation of this Instruction or an order or regulation prohibiting such member from assuming or exercising the functions of civil office.

7.4. No actions undertaken by an Air Force member in carrying out assigned military duties shall be invalidated solely by virtue of such member having been a candidate or nominee for a civil office in violation of the prohibition of paragraph 5 or having held or exercised the functions of a civil office in violation of the prohibitions of paragraphs 7.1. or 7.2.

8. Duty Restrictions. No member of the Air Force may be assigned or detailed to perform duties in the legislative or judicial branches of the U.S. Government. A member may, however, perform such duties if under a scholarship, fellowship, grant, or internship, or for a specific duration on a specific project as a member of the staff, court, or committee of the Congress. The member must first agree to incur an active duty service obligation to commence at the termination of the assignment or detail, and equivalent to the length of the assignment or detail, or to the service obligation prescribed in other applicable regulations, whichever is greater.

9. Air Force Members on Active Duty for Less Than 30 Days. In addition to complying with all other mandatory provisions herein regarding prescribed and proscribed actions for active duty Air Force members, members on active duty for less than 30 days will:

9.1. Give full time and attention to performing military duties during prescribed duty hours.

9.2. Avoid any outside political activities that may be prejudicial to performing military duties or inconsistent with the accepted customs and traditions of the Armed Forces.

9.3. Refrain from participating in any political activity while in military uniform and from using government facilities for political activities.

10. Adopted Forms.

AF Form 847, *Recommendation For Change of Publication*

RICHARD C. HARDING
Lieutenant General, USAF
The Judge Advocate General

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Title 2 United States Code, Sections 441a, 441a-1, 441f, 441g, and 441i

Title 5 United States Code, Sections 5312 through 5317

Title 10 United States Code, Sections 888, 973 and Chapter 47 (“Uniform Code of Military Justice”)

Title 18 United States Code, Sections 592-594, 596, 602-603, 606-609

DoD Directive 1344.10, *Political Activities by Members of the Armed Forces*, February 19, 2008

DoD Instruction 1325.06, *Handling Dissident and Protest Activities among Members of the Armed Forces*, November 27, 2009

DoD Instruction 1334.01, *Wearing of the Uniform*, October 26, 2005

Air Force Instruction 31-201, *Security Police Standards and Procedures*, 30 March 2009

Air Force Policy Directive 36-29, *Military Standards*, 29 October 2009

Air Force Instruction 36-2903, *Dress and Personal Appearance of Air Force Personnel*, 2 August 2006

Air Force Policy Directive 51-9, *Civil Law for Individuals*, 5 November 1993

Air Force Instruction 51-903, *Dissident and Protest Activities*, 1 February 1998

Abbreviations & Acronyms

AFPD—Air Force Policy Directive

DoD—Department of Defense

SECAF—Secretary of the Air Force

UCMJ—Uniform Code of Military Justice

Terms

Active Duty— Full-time duty in the active military service of the United States regardless of duration or purpose, full-time duty in the Air National Guard, and duty in the Air National Guard when federalized. Active duty includes full-time training duty; annual training duty; and attendance, while in the active military service, at a school designated as a Service school by law or by the Secretary concerned.

Civil Office— A non-military office involving the exercise of the powers or authority of civil government, to include elective and appointive office in the U.S. Government, a U.S. territory or possession, State, Commonwealth, county, municipality, or official subdivision thereof. This term does not include a non-elective position as regular or reserve member of a civilian law enforcement, fire, or rescue squad.

Nonpartisan Political Activity— An activity supporting or relating to candidates who do not represent, or issues not specifically identified with, national or state political parties or associated or ancillary organizations. Issues relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character which are not considered under this Instruction as specifically being identified with national or state political parties.

Partisan Political Activity— An activity supporting or relating to candidates who represent, or issues specifically identified with, national or state political parties or associated or ancillary organizations. A candidacy, declared or undeclared, for national or state office is a partisan political activity, even if the candidate is not affiliated with a national or state political party.

Attachment 2

CANDIDACY OR NOMINATION FOR POLITICAL OFFICE ACKNOWLEDGMENT OF LIMITATIONS

A2.1. Acknowledgement of limitations must be prepared by any member on active duty (or who is about to enter active duty) who is:

A2.1.1. Granted permission to remain or to become a candidate or nominee for civil office, (paragraph 5.1.) (“Alternate A”); or

A2.1.2. Not otherwise prohibited from remaining or becoming a candidate or nominee for civil office (paragraph 5.2.) (“Alternate B”).

A2.2. Prepare the acknowledgement as a letter or memorandum, signed by the member and addressed through the member’s immediate commander to the first general or flag officer in the member’s chain of command.

Figure A2.1. Sample Acknowledgment of Limitations.

<p>MEMORANDUM FOR [first General Officer in chain of command through chain of command]</p> <p>FROM: [Service member seeking to be a candidate or nominee]</p> <p>SUBJECT: Acknowledgement of Limitations for Candidacy or Nomination for Political Office</p> <p>[Select the appropriate paragraph 1].</p> <p>Alternate A (over 270 days)</p> <p>1. I understand that for me to [remain] [become] a [nominee] [candidate] for the civil office of [specifically identify the civil office] while on active duty, I must have the permission of the Secretary of the Air Force as required by subparagraph 4.2.2. of DoD Directive (DoDD) 1344.10, <i>Political Activities by Members of the Armed Forces</i> and Air Force Instruction (AFI) 51-902, <i>Political Activities by Members of the US Air Force</i>. I understand that such permission will be granted sparingly because it runs counter to the traditional concept that members on active duty should not engage in partisan political activity. Furthermore, I understand that if I am already a [candidate] [nominee], I must submit my request for permission from the Secretary of the Air Force before I enter active duty. If I am already on active duty and wish to become a candidate or nominee, I must receive permission first.</p> <p>Alternate B (270 days or fewer)</p> <p>1. I understand that I am authorized to [remain] [become] a [candidate] [nominee] for the civil office of [specifically identify the civil office] while on active duty. This is authorized by subparagraph 4.2.3. of DoD Directive (DoDD) 1344.10, <i>Political Activities by Members of the Armed Forces</i>, and Air Force Instruction (AFI) 51-902, <i>Political</i></p>
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Activities by Members of the US Air Force, because I am under a call or order to active duty for 270 days or fewer. I understand that I may remain a candidate or nominee only as long as my candidacy or nomination does not interfere with the performance of my military duty.

2. I have read and fully understand that DoDD 1344.10, paragraphs 4.2. and 4.3., and AFI 51-902, paragraphs 5 and 6, severely limit my ability to participate as a nominee or candidate in the political process. I specifically understand that if I am granted permission to be a candidate or nominee or am not otherwise prohibited from becoming a candidate or nominee, I may not direct, control, endorse, or otherwise participate in campaign activities on my behalf (including behind-the-scene activities). Furthermore, I must:

a. Take affirmative, documented efforts to inform those who work for me and those whom I control that I may not direct, control, manage, or otherwise participate in campaign activities on my own behalf while on active duty.

b. Take all reasonable efforts to prevent current or anticipated advertisements that I control from being publicly displayed or running in any media. This includes web sites devoted to the nomination or candidacy. Such web sites created before my entry on active duty must otherwise comply with subparagraph 4.3.1. and may not be updated or revised while I am on active duty. Furthermore, I understand that the Secretary concerned may direct that the web site be removed while I am on active duty.

3. I have read and understand the prohibitions found in DoDD 1344.10, paragraphs 4.2 and 4.3 and AFI 51-902, paragraphs 5 and 6.

4. I understand that DoD Instruction 1334.01, *Wearing of the Uniform*, and AFI 36-2903, *Dress and Personal Appearance of Air Force Personnel*, prohibit the wearing of a military uniform during or in connection with the furtherance of any political or commercial interests not otherwise prohibited or limited above.

5. Finally, I understand that should I be elected to this civil office while on active duty, I will be subject to the policies and guidance concerning holding and exercising the function of civil office found in DoDD 1344.10 and AFI 51-902. I acknowledge that while on active duty I will be subject to the limitations of DoDD 1344.10, paragraph 4.1.2, and AFI 51-902, paragraph 4.

[Signature Block of Nominee or Candidate]